



Portsmouth, Virginia Police Department General Orders Manual

Relief from Duty			ADM	07
Effective:	02.01.13			2 pages
Supersedes:	01.23.12	CALEA: 1.3.8, 22.2.1		
APPROVED: Edward G. Hargis, Chief of Police				

PURPOSE: To establish guidelines and procedures for relieving a Department employee from duty.

GUIDELINES: Relief of an employee from duty may become necessary in the best interest of the department or the individual employee in situations of serious violations or incidents. The authority of the Chief of Police to effect an emergency relief from duty is extended to any line officer when the severity of the situation warrants such action.

DEFINITIONS:

Administrative Leave: The temporary removal of an employee from ordinary duty assignment, which removal may or may not affect arrest powers, authorization to carry a firearm, or records access. This action is generally taken to ensure that any psychological or emotional effect from a serious incident has been sufficiently addressed before the employee returns to normal duties and assignment.

Relief From Duty: The temporary removal of an employee from ordinary duty assignment, accompanied by the taking of any issued badge, identification card, or firearm, and suspension of the employee's arrest powers, records access, or other applicable authorizations, pending completion of an investigation into some misconduct or alleged wrongdoing by the employee, or other factors raising concern about the ability of the employee to properly function in their job.

PROCEDURES:

Any line officer with the rank of sergeant or higher may place an employee on immediate administrative leave or relieve an employee from duty, until the next administrative working day, in accordance with both the following guidelines and the City's Standards of Conduct.

A. Administrative Leave

If an employee has been involved in any fatality, shooting, other incident of a severe nature, or use of force in an official capacity that results in death or serious physical injury, the employee will be removed from line-duty assignment, pending an administrative review. The employee can also be put on administrative leave pending department investigation of the incident and psychological evaluation and/or treatment. (1.3.8, 22.2.1)

B. Relief From Duty

1. An employee who has committed, or is suspected of having committed, any criminal offense or traffic violation for which a citizen ordinarily would be arrested and could be jailed may be relieved of duty pending investigation. Such relief from duty does not preclude the arrest of the employee if probable cause exists and conditions support or necessitate immediate arrest.

2. If an employee has, or is alleged to have, committed a city or department rules or procedural violation of a severe nature, and the line officer believes immediate action is warranted in the best interest of either the department or the employee, the accused employee will be relieved of duty pending investigation of the offense.
3. If a line officer has articulable reason to believe that an employee is not fit for duty, that line officer will relieve the employee from duty pending mandatory EAP referral or a fit for duty medical evaluation, as appropriate.
4. A line officer, based on articulable reasonable suspicion that an employee is under the influence of drugs or alcohol, may require an employee to submit to testing for drugs or alcohol. If the results of an administered alcohol breath test reveal a breath alcohol concentration of .04 percent or higher, or there is other competent evidence that the employee's abilities to perform his or her duties are impaired, the line officer will immediately relieve the employee from duty.
5. If an employee refuses to submit to drug or alcohol testing as ordered by a line officer, that line officer will immediately relieve the employee from duty for failure to cooperate with an administrative investigation.

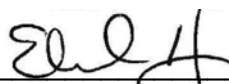
C. Documentation Requirements

1. In any situation where an employee is relieved of duty or placed on administrative leave under immediate or emergency conditions, the line officer effecting the relief will complete a written report immediately and submit it through the chain of command to the Chief of Police. This package must arrive at the Chief's office no later than 0900 the next day.
2. If a line officer has relieved an employee pending EAP referral, the line officer will also complete and forward the mandatory EAP referral form.

D. Notifications

1. A line officer who has relieved an employee from duty or placed an employee on administrative leave will notify his or her Bureau Commander immediately.
2. The relieving line officer will advise the relieved employee to report to the office of the Chief of Police at 1000 hours on the next administrative working day, unless advised otherwise by the Chief of Police.
3. The City's Human Resources Department must be notified immediately when an EAP referral or Fit for Duty testing, including testing for drugs or alcohol, occurs during normal working hours. If they occur after normal working hours notify Human Resources, via the appropriate form, on the next administrative working day.
4. The Professional Standards Unit (PSU) will be notified of any relief from duty, regardless of the reason for the action. In cases of employee-involved shootings or officer arrest, PSU will be notified immediately rather than the next administrative working day.

Approved: _____


Edward G. Hargis, Chief of Police